

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40415 of 2022

Arising Out of PS. Case No.-616 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Md. Israfil @ Md. Isafil, Son Of Md. Ismail Resident Of Village- Papraur,
P.S.- Barauni, District - Begusarai.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam
For the Opposite Party/s : Ms. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-11-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 341, 323, 504, 34 of the Indian Penal Code and Section 3/ 4 of the Dowry Prohibition Act.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that the accused persons including the petitioner were demanding money for solemnizing marriage on the pretext to pay debts and for non-fulfilment of the demand, the accused persons refused to perform the marriage, despite taking cash and motorcycle as detailed in the F.I.R.

The learned counsel for the petitioner submits that



petitioner has been falsely implicated in the present case. It is next submitted that the allegation of demand is general and omnibus in nature. It is next submitted that if what is alleged is true, then the informant equally is liable as asking and giving dowry both is an offence. It is next submitted that since the marriage could not be performed for some personal reason as such, out of anger and vengeance, the present F.I.R. came to be instituted.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Muffasil P. S. Case No.616 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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